



1 Notice of Civil Forfeiture Action was posted on the official government website  
2 beginning August 13, through September 11, 2013, as required by Rule G(4)(a)(iv)(C)  
3 of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture  
4 Actions, as evidenced by the Notice of Publication filed herein on October 24, 2013.  
5 ECF Nos. 15, 15-1 and 15-2. At the latest, the claim period expired on October 12,  
6 2013.

7 On or about August 13, 2013, Gerardo Andrade-Echeverria was served at his  
8 last known address, and in care of Attorney Matthew Rutt, via certified mail, return  
9 receipt requested, with a copy of the Verified Complaint for Forfeiture In Rem, the  
10 Praecipes to the Verified Complaint for Forfeiture In Rem, (ECF Nos. 5 and 7), the  
11 Warrant of Arrest In Rem, and the Notice of Complaint for Forfeiture. ECF No. 9 and  
12 9-1. The file reflects that on or about September 3, 2013, the mailing sent to Mr.  
13 Andrade-Echeverria's last known address (831 S. 11<sup>th</sup> Street, Pasco, WA 99301-  
14 5111) was received by the U.S. Attorney's Office marked "Return to Sender",  
15 "Unable to Forward". The file also reflects that on or about August 19, 2013, the  
16 mailing sent to Attorney Matthew L. Rutt was received by the U.S. Attorney's Office  
17 marked "No Such Number". On or about August 19, 2013, the U.S. Attorney's office  
18 re-mailed the documents, via certified mail, return receipt requested, to Attorney  
19 Matthew L. Rutt at the address listed in PACER in the related criminal matter. The  
20 file reflects that on or about August 23, 2013, this mailing was received by the U.S.  
21 Attorney's Office marked "Not Deliverable As Addressed" and "Unable to Forward".  
22 On or about August 23, 2013, FSA Paralegal Contractor, Darcy Markham, contacted  
23 Attorney Matthew L. Rutt via telephone and was advised by Mr. Rutt that he had  
24 moved his office 6 months ago. Ms. Markham asked if she could email the  
25 documents to Mr. Rutt and he said "yes." The file reflects that on or about August 23,  
26 2013, Ms. Markham emailed the Verified Complaint for Forfeiture In Rem, the  
27 Praecipes to the Verified Complaint for Forfeiture In Rem, (ECF Nos. 5 and 7), the  
28 Warrant of Arrest In Rem, and the Notice of Complaint for Forfeiture to Mr. Rutt. To

1 date, no claim of interest has been received or filed with the Court from Gerardo  
2 Andrade-Echeverria. On September 30, 2013, the United States served and filed its  
3 Notice of Motion for Default. ECF No. 13. On October 24, 2013, the United States  
4 filed a Motion for Default. ECF No. 16. On October 25, 2013, the Clerk entered a  
5 default order as to Gerardo Andrade-Echeverria. ECF No. 20.

6 On or about August 13, 2013, Alma Delia Andrade-Echeverria was served at  
7 her last known address, via certified mail, return receipt requested, with a copy of the  
8 Verified Complaint for Forfeiture In Rem , the Praecipes to the Verified Complaint for  
9 Forfeiture In Rem, (ECF Nos. 5 and 7), the Warrant of Arrest In Rem, and the Notice  
10 of Complaint for Forfeiture. ECF No. 8 and 8 1. The file reflects that on or about  
11 September 3, 2013, the mailing sent to Ms. Andrade-Echeverria's last known address  
12 (831 S. 11th Street, Pasco, WA 99301-5111) was received by the U.S. Attorney's  
13 Office marked "Return to Sender", "Unable to Forward". On or about September 26,  
14 2013, Jerome Brown, Senior Inspector with the U.S. Marshals Service, searched  
15 LexisNexis and Washington State Department of Licensing (DOL) records for  
16 addresses for Alma Delia Andrade-Echeverria. The 831 S. 11<sup>th</sup> Street, Pasco,  
17 Washington, is her last known address in LexisNexis and no addresses were found in  
18 DOL records. On September 30, 2013, the United States served and filed its Notice of  
19 Motion for Default. ECF No. 12. On October 24, 2013, the United States filed a  
20 Motion for Default. ECF No. 17. On October 25, 2013, the Clerk entered a default  
21 order as to Alma Delia Andrade-Echeverria. ECF No. 19.

22 On or about August 13, 2013, Ramon Varaja was served at his last known  
23 address, via certified mail, return receipt requested, with a copy of the Verified  
24 Complaint for Forfeiture In Rem , the Praecipes to the Verified Complaint for  
25 Forfeiture In Rem, (ECF Nos. 5 and 7), the Warrant of Arrest In Rem, and the Notice  
26 of Complaint for Forfeiture. ECF No. 10 and 10-1. The file reflects that on or about  
27 September 3, 2013, the mailing sent to Mr. Varaja's last known address (831 S. 11<sup>th</sup>  
28 Street, Pasco, WA 99301-5111) was received by the U.S. Attorney's Office marked

1 “Return to Sender”, “Unable to Forward”. On or about September 26, 2013, Jerome  
2 Brown, Senior Inspector with the U.S. Marshals Service, searched LexisNexis and  
3 Washington State Department of Licensing (DOL) records for addresses for Ramon  
4 Varaja. The 831 S. 11<sup>th</sup> Street, Pasco, Washington, is his last known address in  
5 LexisNexis and no addresses were found in DOL records. On September 30, 2013,  
6 the United States served and filed its Notice of Motion for Default. ECF No. 14. On  
7 October 24, 2013, the United States filed a Motion for Default. ECF No. 18. On  
8 October 25, 2013, the Clerk entered a default order as to Ramon Varaja. ECF No. 21.

9 It appearing to the Court that any and all potential claimant’s interest in the  
10 defendant property has been resolved through the entry of the Clerk’s Orders of  
11 Default as to Gerardo Andrade-Echeverria, Alma Delia Andrade-Echeverria, and  
12 Ramon Varaja;

13 It also appearing to the Court that no other timely claims have been made to the  
14 defendant property;

15 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the  
16 defendant property is hereby forfeited to the United States of America, and no right,  
17 title, or interest shall exist in any other person.

18 IT IS FURTHER ORDERED that the United States shall dispose of the  
19 forfeited defendant property in accordance with law.

20 DATED this 16th day of December, 2013.

21  
22 *s/Lonny R. Suko*

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Lonny R. Suko  
Senior United States District Judge

25 Presented by:

26 Michael C. Ormsby  
United States Attorney

27 s/James A. Goeke

28 James A. Goeke  
Assistant United States Attorney